

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3054
)	
V.)	
)	
ANTONIO O. HERNANDEZ, JR.)	ORDER
)	
Defendant.)	
)	

I am in receipt of a report from the United States Department of Justice, Federal Bureau of Prisons, U.S. Medical Center for Federal Prisoners, Springfield, Missouri. The report will be filed and a copy shall be provided to counsel. Both the eye doctor and the audiologist reported that the defendant provided unreliable responses. The eye doctor believes the defendant's eye sight is better than reported. Summarized, the report indicates that there is no medical evidence to support the assertion that the defendant is having difficulty seeing or hearing.

However, the Medical Center also reports that the defendant may have an aneurysm *unrelated* to the alleged head injury sustained while in county jail. Further testing is recommended and I have authorized that testing.

IT IS ORDERED that:

1. The report shall be filed as a restricted document and copies made available to counsel. If any party disagrees with the report, an objection, with a supporting brief, shall be filed within 10 calendar days of this date. Absent such objection, I will assume that the report is correct.
2. Additionally, this order confirms that I have authorized the testing recommended by the Medical Center. My chambers shall provide the Warden

with a copy of this Memorandum and Order to evidence my authorization to proceed with the testing.

3. My chambers shall provide Laura L. Baumann, U.S. Probation Officer, with a copy of this Memorandum and Order and a copy of the Medical Center's report.

DATED this 21st day of June, 2011.

BY THE COURT:

Richard G. Kopf
United States District Judge